

**RUSH COUNTY Board of Zoning Appeals**

**July 13, 2016 7:00 P.M.**

**Meeting called to order by President Lois Hatfield at 7:43 P.M.**

**ROLL CALL:** Lois Hatfield, Sandra Jackson, Phil Shanahan, Craig Trent, Dohn Green, Bryant Niehoff, Grant Reeves, and Carmen Clark.

**ABSENT:** Shelly Wakefield.

**MINUTES:** Craig said he thought all of Verlin Custer's promises to the board should be put in the June 8<sup>th</sup> minutes. Craig made a motion to table until the August 10<sup>th</sup> meeting. Sandra seconded the motion. All in favor. Motion carried.

**OLD BUSINESS:**

**FINDINGS OF FACT for a SPECIAL EXCEPTION for MILCO DAIRY** – Grant Reeves passed out findings of fact for MILCO Dairy and advised the board of changes that were made (page 5, paragraph 2, page 6, and paragraph E, and page 8, paragraph 6). Craig made a motion to approve the changes of the MILCO Dairy Findings of Fact as stated by Grant. Dohn seconded the motion. All in favor. Motion carried.

**NEW BUSINESS:**

**VARIANCE:**

**BZA2016-026** – Ted Sowders, 8166 W. 800N, Carthage, IN. Parcel 70-01-23-400-005.000-008; zoned A-3; Agriculture Regulated Livestock. The applicant is requesting a variance from the minimum rear yard setback of forty (40') feet to 26.4 feet. Phil made a motion to approve the variance for the rear yard setback. Dohn seconded the motion. All in favor. Motion carried.

**BZA2016-027** – Matt VanNatta, 6149 E. 900N, Falmouth, IN. Parcel 70-04-20-100-002.000-015; zoned A-3; Agriculture Regulated Livestock. The applicant is requesting a variance from the minimum front yard setback of one hundred (100') feet to seventy-eight (78') feet. Craig made a motion to approve the variance for the front yard setback. Sandra seconded the motion. All in favor. Motion carried.

**BZA2016-028** – Rod Brown, 7002 N. Blue River Road, Carthage, IN. Parcel 70-01-26400-004.000-008; zoned A-3; Agriculture Regulated Livestock. **PETITION WITHDRAWN.** No action was needed by the BZA due to the previous APC meeting.

**SPECIAL EXCEPTION:**

**BZA2016-030** – Scott Mann, 2200 N. 980W, Arlington, IN. Parcel 70-05-22-300-002.000-006; zoned A-3; Regulated Livestock. The applicant is requesting a special exception to build a home with less than 40 acres in

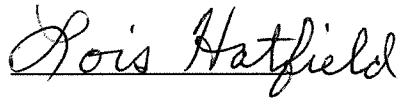
an A-3 zoning district. Dohn made a motion to approve. Phil seconded the motion. All in favor. Motion carried.

**AUDIENCE PARTICIPATION:** None.

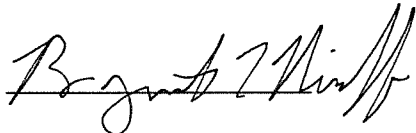
**ATTORNEY:** Grant stated he received a Notice of Appeal from Flat Rock Wind Farm. Also, informed the board there is an attorney with Barnes & Thornburg that could be used as co-counsel for the MILCO Dairy/House of Prayer case. The attorney is working on this in Henry County. The cost would be very high. He will also work with MILCO's attorneys.

**DIRECTOR:** Bryant informed the board that Shelly Wakefield's consultant contract was approved and there are several projects she will be giving her assistance.

**ADJOURN:** Sandra made a motion to adjourn. Dohn seconded. Meeting adjourned at 8:23PM.

A handwritten signature in cursive script that reads "Lois Hatfield".

Lois Hatfield, President

A handwritten signature in cursive script that reads "Bryant Niehoff".

Bryant Niehoff, Executive Director